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EXAMINER	
HAN, JASON	

ART UNIT	PAPER NUMBER
2875	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/802,265	MAGLICA, ANTHONY	
	Examiner	Art Unit	
	Jason M. Han	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-41,55-135,146-196 and 206-225* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *86,91-135,152-154,163,165,172,173,175-195 and 222-225* is/are allowed.

6)☒ Claim(s) *See Continuation Sheet* is/are rejected.

7)☒ Claim(s) *12,13,15,22,25,26,28,147,149-151,158,160,162,164,165,207,211,216,218 and 220* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continuation of Disposition of Claims: Claims rejected are 11,13,16-21,23,24,27,29-41,55-85,87-90,146,148,155-157,159,161,166-171,174,196,206,208-210,212-215,217,219 and 221.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

2. Applicant's arguments, see Pages 49-50, filed August 18, 2006, with respect to the 35 U.S.C. 112 rejection of Claims 104-105 and 113-114 have been fully considered and are persuasive. The rejection of claims has been withdrawn.

Claim Objections

3. Claim 165 is objected to because of the following informalities: Applicant recites in the claim the limitation, "wherein said actuating member couples with said actuation interface", which lacks antecedent basis. Applicant is encouraged to amend the claim to incorporate the last limitation of said claim prior to the above limitation. Appropriate correction is required.

4. Claim 221 is objected to because of the following informalities: Applicant recites in the claim the limitation, "wherein said actuating member", lacks antecedent basis. Appropriate correction is required.

The following claims have been rejected in light of the specification, but rendered the broadest reasonable interpretation as construed by the Examiner [MPEP 2111].

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 11, 14, 16-18, 206, and 208-210 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

6. With regards to Claim 11, Tillery discloses a device for projecting a beam of light including:

- A portable source of power [Figure 1: (24)];
- A substantial point source of light [Figure 1: (12, 14)] electrically connected to the source of power;
- A reflector [Figures 4-5: (54)] having a first open end for emitting a beam of light, a second end and an axis extending therebetween;
- A holder [Figures 1-5: (15)] positioning the substantial point source of light within the reflector; and
- An actuating member [Figures 1-5: (64, 66)] operatively connected to the holder to move the holder and align the substantial point source of light with the axis of the reflector, wherein the actuating member is externally accessible by a user for moving the holder [Figure 1: (18)].

7. With regards to Claim 14, Tillery discloses the reflector [Figures 4-5: (54)] including a focal point on the reflector axis and the actuator [Figures 1-5: (62, 64, 66)]

being adapted to move the holder and align the substantial point source of light with the focal point.

8. With regards to Claim 16, Tillery discloses the portable source of power including one or more dry cell batteries [Figure 1: (24)].

9. With regards to Claim 17, Tillery discloses the substantial point source of light being positioned on a lamp filament [Figures 4-5: (12)].

10. With regards to Claim 18, Tillery discloses a first housing [Figures 1-6: (2)] maintaining the one or more dry cell batteries, a second housing [Figures 1-6: (4)] maintaining the reflector, and a biasing means [Figure 6: (28)] biasing one or more batteries toward the second housing.

11. With regards to Claim 206, Tillery discloses the holder being moved while the substantial point source of light is electrically connected to the source of power [Column 2, Lines 19-24].

12. With regards to Claim 208, Tillery discloses a spring conductor [Figures 4-5: (60, 62, 74)], wherein the spring biased conductor includes a first conductor receptacle [Figures 4-5: (62)], a second conductor receptacle [Figures 4-5: (74)] and a spring [Figures 4-5: (60)], whereby the first conductor receptacle is slidably disposed in an inner cavity of the second conductor receptacle with the spring compressed and contained therebetween, and further whereby the spring urges one of the first conductor receptacle and the second conductor receptacle towards the holder.

13. With regards to Claim 209, Tillery discloses the holder [Figures 4-5: (15)] being adapted to align the substantial source of light [Figures 4-5: (12, 14)] with the axis of the

reflector [Figures 1-5: (54)] a first time, and realign the substantial source of light with the axis of the reflector a second time without removing the portable source of power from the device [Column 2, Lines 19-24].

14. With regards to Claim 210, Tillery discloses the holder [Figures 4-5: (15)] being adapted to be moved a first time, and then be moved a second time without separating the reflector [Figures 1-5: (54)] or portable source of power [Figures 1-5: (24)] from the device.

15. Claims 19, 21, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Lindabury et al. (U.S. Patent 4,987,523).

16. With regards to Claim 19, Lindabury discloses a flashlight including:

- A barrel [Figure 4: (102)] for retaining one or more batteries [Figure 4: (120)], the barrel having first and second ends;
- A reflector [Figure 4: (122)] mounted to the first end of the barrel including a first open end adapted to emit a light beam, a second end and a reflector axis extending therebetween;
- An illumination source [Figure 4 : (140)] ;
- A movable holder [Figure 4: (128, 196, 208)] including a receiver [Figure 4: (128)] and an actuation interface [Figure 4: (196, 208)], wherein the receiver holds the illumination source in a position between the first open end and the second end of the reflector, wherein the actuation interface is used to move the movable holder for adjusting the position of the illumination source relative

to the reflector axis, and wherein the actuation interface [Figure 4: (214)] is externally operable by a user for moving the movable holder; and

- An electrical circuit [Column 6, Lines 42-56] coupling the illumination source to the one or more batteries.

17. With regards to Claim 21, Lindabury discloses the actuation interface being a socket [Figure 4: where the screw (216) is located].

18. With regards to Claim 23, Lindabury discloses an actuating member [Figure 4: (214)] coupled to the actuation interface for moving the movable holder, wherein the actuating member [Figure 4: (214)] is separable from the actuation interface [Figure 4: (216)]

19. With regards to Claim 24, Lindabury discloses the reflector [Figure 4: (122)] being fixedly mounted to the barrel [via Figure 4: (110, 112)].

20. Claims 19-20, 27, 34-36, 212-215, and 217 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

21. With regards to Claim 19, Tillery discloses a flashlight including:

- A barrel [Figures 1-6: (2)] for retaining one or more batteries [Figures 1-6: (24)], the barrel having first and second ends;
- A reflector [Figures 1-6: (54)] mounted to the first end of the barrel including a first open end adapted to emit a light beam, a second end and a reflector axis extending therebetween;
- An illumination source [Figures 1-6 : (12, 14)] ;

- A movable holder [Figures 1-6: (62, 74)] including a receiver [Figures 1-6: (74)] and an actuation interface [Figures 1-6: (18)], wherein the receiver holds the illumination source in a position between the first open end and the second end of the reflector, wherein the actuation interface is used to move the movable holder for adjusting the position of the illumination source relative to the reflector axis, and wherein the actuation interface [Figures 1-6: (18)] is externally operable by a user for moving the movable holder; and
- An electrical circuit [via switch assembly: Figures 4-5: (40)] coupling the illumination source to the one or more batteries.

22. With regards to Claim 20, Tillery discloses the actuation interface [Figures 1-6: (18)] being configured to receive actuating pressure for moving the movable holder [Column 3, Lines 23-32].

23. With regards to Claim 27, Tillery discloses a switch [Figures 4-5: (40)] for completing and interrupting the electrical circuit, wherein the switch is interposed between the one or more batteries and the reflector.

24. With regards to Claim 34, Tillery discloses the barrel [Figures 1-6: (2)] forming part of the electrical circuit [Column 7, Lines 7-10].

25. With regards to Claim 35, Tillery discloses a cam [Figures 4-5: (64, 66)] controlling the movement of the movable holder in a direction parallel to the reflector axis.

26. With regards to Claim 36, Tillery discloses the cam [Figures 4-5: (64, 66)] rotating about the axis of the reflector.

27. With regards to Claim 212, Tillery discloses an actuating member [Figures 4-5: (64, 66)] coupled to the actuation interface for moving the moveable holder, wherein the actuating member is externally operable by the user [via Figure 1: (18)].

28. With regards to Claim 213, Tillery discloses the moveable holder [Figures 1-6: (62, 74)] being adapted for adjusting the position of the illumination source relative to the reflector [Figures 1-6: (54)] a first time, and for readjusting the position of the illumination source relative to the reflector a second time without removing the one or more batteries [Figures 1-6: (24)] from the flashlight.

29. With regards to Claim 214, Tillery discloses the movable holder [Figures 1-6: (62, 74)] being adapted to be moved a first time, and then to be moved a second time without separating the reflector [Figures 1-6: (54)] or one or more batteries [Figures 1-6: (24)] from the flashlight.

30. With regards to Claim 215, Tillery discloses the movable holder [Figures 1-6: (62, 74)] being moved while the illumination source [Figures 1-6: (12, 14)] is electrically coupled to the one or more batteries [Figures 1-6: (24)].

31. With regards to Claim 217, Tillery discloses a spring conductor [Figures 4-5: (60, 62, 74)], wherein the spring biased conductor includes a first conductor receptacle [Figures 4-5: (62)], a second conductor receptacle [Figures 4-5: (74)] and a spring [Figures 4-5: (60)], whereby the first conductor receptacle is slidably disposed in an inner cavity of the second conductor receptacle with the spring compressed and contained therebetween, and further whereby the spring urges one of the first conductor receptacle and the second conductor receptacle towards the holder.

32. Claims 37-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

33. With regards to Claim 37, Tillery discloses a portable lighting device including:

- A housing [Figures 1-6: (2)] for receiving a portable source of energy [Figures 1-6: (24)];
- A substantial point source of light [Figures 1-6: (12, 14)] electrically coupled to the source of energy;
- A reflector [Figures 1-6: (54)] having a central axis and an open end, whereby the open end is adapted for emitting a beam of light;
- A holder [Figures 1-6: (62, 74)] for positioning the point source of light relative to the central axis of the reflector; and
- Means [Figures 1-6: (18, 64, 66)] for aligning the substantial point source of light with the central axis that is externally accessible [Figure 1: (18)] by a user.

34. With regards to Claim 38, Tillery discloses a switch [Figures 4-5: (40)] for controlling energy from the portable source of energy to the substantial point source of light.

35. With regards to Claim 39, Tillery discloses the switch [Figures 4-5: (40)] being adapted to close or open in response to translation of the holder [Figures 4-5: (62, 74)].

36. With regards to Claim 40, it is clear that the teaching of Tillery provides a tactile response feature to indicate that the switch is open via the forward-most position [Column 5, Lines 55-63].

37. With regards to Claim 41, Tillery discloses means [Figures 4-5: (48, 60, 58-59)] for translating the substantial point source of light along the reflector axis.

38. Claims 55-58 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

39. With regards to Claim 55, Tillery discloses a lighting device including:

- A housing [Figures 1-6: (2)] for receiving a source of energy [Figures 1-6: (24)];
- A substantial point source of light [Figures 1-6: (12, 14)] coupled to the source of energy;
- A reflector [Figures 1-6: (54)] including an axis and an open end for reflecting light generated by the substantial point source of light, whereby the open end is adapted for emitting a beam of light; and
- Means [Figures 1-6: (64-66)], externally operable for actuation by a user [Figure 1: (18)], for aligning the substantial point source of light with the axis of the reflector.

40. With regards to Claim 56, Tillery discloses the reflector [Figures 1-6: (54) – inherent of a parabolic reflector] having a foçal point.

41. With regards to Claim 57, Tillery discloses means [Figures 1-6: (48, 58-60, 62, 64)] for aligning the substantial point source of light with a focal point of the reflector.

42. With regards to Claim 58, Tillery discloses the reflector [Figures 4-5: (54)] being substantially symmetrical about the axis.

43. Claim 59 is rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

Tillery discloses a lighting device including:

- A housing [Figures 1-6: (2)] for receiving a source of energy [Figures 1-6: (24)];
- A substantial point source of light [Figures 1-6: (12, 14)] coupled to the source of energy;
- A reflector [Figures 1-6: (54)] including a focal point and an open end for reflecting light generated by the substantial point source of light; and
- Means [Figures 1-6: (64-66)], externally accessible for actuation by a user [Figure 1: (18)], for aligning the substantial point source of light with the focal point of the reflector.

44. Claims 60-65, 67-68, 74-78, 80-83, and 219 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

45. With regards to Claim 60, Tillery discloses a hand-held, portable lighting device including:

- A housing [Figures 1-6: (2)] for receiving and maintaining a portable source of energy [Figures 1-6: (24)];
- A bulb [Figures 1-6: (12, 14)] having a substantial point source of light generated by the portable source of energy;
- An electrical circuit which connects the source of energy and the bulb [Figures 4-5: (40)] which connects the source of energy and the bulb'

- A reflector [Figures 1-6: (54)] for forming a beam of light having a first open end adapted to emit the light beam, a second end, an inner reflective surface therebetween and a focal point positioned between the first and second end, and within the area defined by the reflective surface;
- An movable bulb holder [Figures 1-6: (62, 74)] for holding the bulb; and
- An actuating member [Figures 1-6: (64-66)] operatively coupled to the bulb holder for moving the bulb and thereby aligning the point source of light substantially co-axially with the focal point, wherein the actuating member is externally operable by a user [via Figure 1: (18)].

46. With regards to Claim 61, Tillery discloses the reflector [Figures 1-6: (54)] being a substantially axisymmetrical reflector having an axis extending between the first and second ends with the focal point located on the axis.

47. With regards to Claim 62, Tillery discloses the movable holder [Figures 1-6: (62, 74)] being controllably translatable in a direction along the axis to vary the relative axial position of the point source of light with the focal point.

48. With regards to Claim 63, Tillery discloses a head [Figures 1-6: (4)] operably connected to the housing and fixed to the reflector, wherein the reflector [Figures 1-6: (54)] is controllably translatable in a direction along the axis to vary the relative axial position of the point source of light with the focal point.

49. With regards to Claim 64, Tillery discloses a lens [Figures 1-6: (10)] adjacent the first open end of the reflector and the head operably connected to the housing such that it maintains the lens and the reflector in a fixed relationship.

50. With regards to Claim 65, Tillery discloses the head threadably engaging one end of the housing [Column 3, Lines 13-17].

51. With regards to Claim 67, Tillery discloses the electrical circuit including a switch [Figures 4-5: (40)] to close the electrical connection between the portable source of energy and the bulb and cause the point source to generate light.

52. With regards to Claim 68, Tillery discloses the electrical circuit including a switch [Figures 4-5: (40)] to close the electrical connection between the portable source of energy and the bulb and cause the point source to generate light.

53. With regards to Claim 74, Tillery discloses a securing mechanism [Figures 1-6: (15)] provided to maintain the position of the point source of light with the focal point after the point source of light has been substantially co-axially aligned with the focal point.

54. With regards to Claim 75, Tillery discloses a cam [Figures 4-5: (64-66)] for controlling the movement of the movable bulb holder.

55. With regards to Claim 76, Tillery discloses the portable source of energy including at least one dry cell battery [Figures 1-6: (24)].

56. With regards to Claim 77, Tillery discloses the housing [Figures 1-6: (2)] maintaining in series a plurality of dry cell batteries [Figure 2: (24)].

57. With regards to Claim 78, Tillery discloses the center electrode of the first battery [Figures 4-5: (24)] of the series of batteries being operably connected to a switch [Figures 4-5: (40)] through conductive means [Figures 4-5: (46, 48, 60)], whereby the conductive means includes spring biased conductive elements [Figures 4-5: (60)].

58. With regards to Claim 79, Tillery discloses the head [Figures 1-6: (4)] being operably connected to one end of the housing and a tail cap [Figures 1-6: (6)] being connected to the other end of the housing, whereby the electrical circuit includes a spring [Figures 1-6: (28)] to bias the battery.

59. With regards to Claim 80, Tillery discloses the bulb [Figures 1-6: (12)] including a pair of electrodes, whereby the substantial point source of light is on a filament extending between the electrodes.

60. With regards to Claim 81, Tillery discloses the movable bulb holder [Figures 1-6: (62, 74)] being controllably translatable in a direction along the axis to vary the relative axial position of the point source of light with the focal point.

61. With regards to Claim 82, Tillery discloses the electrodes being maintained in electrical connection with the source of energy when the actuator moves the bulb [Column 2, Lines 19-24].

62. With regards to Claim 83, Tillery discloses the actuating member [Figures 1-6: (64-66)] moving the bulb when light is being generated and a beam of light is emitted from the first open end of the reflector.

63. With regards to Claim 219, Tillery discloses a spring conductor [Figures 4-5: (60, 62, 74)], wherein the spring biased conductor includes a first conductor receptacle [Figures 4-5: (62)], a second conductor receptacle [Figures 4-5: (74)] and a spring [Figures 4-5: (60)], whereby the first conductor receptacle is slidably disposed in an inner cavity of the second conductor receptacle with the spring compressed and

contained therebetween, and further whereby the spring urges one of the first conductor receptacle and the second conductor receptacle towards the holder.

64. Claims 85, 87-90, and 221 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

65. With regards to Claim 85, Tillery discloses a combination for use in aligning a substantial point source of light of a lamp bulb with an axis of a flashlight reflector, the combination including:

- A body member [Figures 1-6: (2)] for receiving a portable source of electrical energy [Figures 1-6: (24)];
- A lamp bulb [Figures 1-6: (12, 14)] including a substantial point source of light operably connected to the portable source of electrical energy;
- A substantially axisymmetrical reflector [Figures 1-6: (54)] having a first open end adapted to emit a light beam, a second end adapted to receive the lamp bulb extending toward the first open end, and an axis extending from the second end to the first open end; and
- A movable lamp bulb holder [Figures 1-6: (62, 74)] adapted to hold the lamp bulb and including an actuation interface [Figures 1-6: (64-66)] to move the movable lamp bulb holder and align the substantial point source of light with the reflector axis, wherein the movable lamp bulb holder may be moved while the lamp bulb is operably connected to the portable source of electrical energy.

66. With regards to Claim 87, Tillery discloses an actuating member [Figure 1: (18)] coupled to the actuation interface for moving the movable lamp bulb holder.

67. With regards to Claim 88, Tillery discloses the actuation interface [Figures 1-6: (64-66)] defining an axis.

68. With regards to Claim 89, Tillery discloses the movable lamp bulb holder being caused to move by maneuvering the axis defined by the actuation interface [Figures 1-6: (64-66)].

69. With regards to Claim 90, Tillery discloses a securing mechanism [Figures 1-6: (15)] to maintain the position of the substantial point source of light with the reflector axis after the filament has been moved relative to the reflector axis.

70. With regards to Claim 221, Tillery discloses the actuating member [Figure 1: (18)] being externally operably by a user.

71. Claims 146 and 155 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

72. With regards to Claim 146, Tillery discloses a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a flashlight reflector, the combination including:

- A body member [Figures 1-6: (2)] for receiving and housing a portable source of electrical energy [Figures 1-6: (24)];
- A lamp bulb [Figures 1-6: (12, 14)] including a filament operably connected to the portable source of electrical energy, whereby the filament includes a substantial point source of light;

- A substantially axisymmetrical reflector [Figures 1-6: (54)] having a first open end adapted to emit a light beam, a second end adapted to receive the lamp bulb extending toward the first open end, and an axis extending from the second end to the first open end;
- A movable lamp bulb holder [Figures 1-6: (62, 74)] adapted to hold the lamp bulb; and
- An actuating member [Figures 1-6: (18, 64-66)] externally accessibly by a user and operatively coupled to the movable lamp bulb holder for adjusting the position of the lamp bulb filament relative to the reflector axis and aligning the substantial point source of light with the reflector axis while said lamp bulb is electrically connected to the portable source of electrical energy.

73. With regards to Claim 155, Tillery discloses means [Figures 1-6: (15)] for maintaining the position of the filament with the reflector axis after the substantial point source of light has been moved relative to the reflector axis.

74. Claim 148 is rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

Tillery discloses a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a flashlight reflector, the combination including:

- A body member [Figures 1-6: (2)] for receiving and housing a portable source of electrical energy [Figures 1-6: (24)];

- A lamp bulb [Figures 1-6: (12, 14)] including a filament opearbly connected to the portable source of electrical energy, whereby the filament includes a substantial point source of light;
- A substantially axisymmetrical reflector [Figures 1-6: 954)] having a first open end adapted to emit a light beam, a second end adapted to receive the lamp bulb extending toward the first open end, and an axis extending from the second end to the first open end;
- A movable lamp bulb holder [Figures 1-6: (62, 74)] adapted to hold the lamp bulb; and
- An actuating member [Figures 1-6: (64-66)] operatively coupled to the movable lamp bulb holder for adjusting the position of the lamp bulb filament relative to the reflector axis and aligning the substantial point source of light with the reflector axis, wherein the actuating member is a cam.

75. Claims 156-157, 166-171, and 174 are rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

76. With regards to Claim 156, Tillery discloses a flashlight including:

- A housing [Figures 1-6: (2)] for receiving and storing at least one dry cell battery [Figures 1-6: (24)];
- A lamp bulb [Figures 1-6 (12, 14)] including electrodes operably connected to the battery through an electrical circuit and a filament extending between the electrodes for generating light, whereby a substantial point source of light is on the filament;

- A switch [Figures 1-6: (40)] interposed in the electrical circuit adapted to open the electrical circuit and to close the electrical circuit to cause the filament to generate light;
- A head assembly [Figures 1-6: (4)] including a lens [Figures 1-6: (10)];
- A substantially axisymmetrical reflector [Figures 1-6: (54)] for forming a beam of light generated by the filament, whereby the reflector has a first open end adapted to emit a light beam through the lens, a second end adapted to receive the lamp bulb extending toward the first open end, an axis extending from the second end to the first open end, and a focal point located on the axis;
- An adjustable focusing means for varying the position of the substantial point source of light with respect to the focal point [Figures 1-6: (64-66)];
- A movable lamp bulb holder [Figures 1-6: (62, 74)] to hold the lamp bulb and maintain the operable connection with the battery; and
- An actuating member [Figures 1-6: (18)] operatively coupled to the movable lamp bulb holder for moving the lamp bulb filament to position the substantial point source of light coaxial with the reflector axis, wherein the actuating member is externally accessible by a user.

77. With regards to Claim 157, Tillery discloses the actuating member [Figures 1-6: (18)] being mechanically coupled [via Figures 1-6: (64-66)] to the movable lamp bulb holder [Figures 1-6: (62, 74)].

78. With regards to Claim 166, Tillery discloses means [Figures 1-6: (15)] for maintaining the position of the substantial point source of light with the reflector axis after the filament has been moved relative to the reflector axis.

79. With regards to Claim 167, Tillery discloses a curved conductor [Figures 1-6: (58-60)] interposed in the electrical circuit and operably connected to an electrode of the lamp bulb and mounted to the movable lamp bulb holder for maintaining the operable connection between the lamp bulb electrodes and the battery while moving the lamp bulb filament relative to the reflector axis.

80. With regards to Claim 168, Lai discloses the curved conductor [Figures 1-6: (58-60)] including a first contact [Figures 1-6: (58-59)] and a second contact [Figures 1-6: (60)] electrically connected to the first contact, whereby the first contact is adapted to frictionally receive the electrode of the lamp bulb, and whereby the second contact includes a curved area for maintaining an equidistant electrical contact location relative to an adjacent electrically connecting conductor.

81. With regards to Claim 169, Tillery discloses an adaptable conductor means [Figures 1-6: (60)] operably connected to the filament of the lamp bulb for maintaining electrical contact while moving the lamp bulb filament relative to the axis of the reflector.

82. With regards to Claim 170, Tillery discloses a spring [Figures 1-6: (28)] within one end of the housing and urging the at least one dry cell battery toward the other end of the housing.

83. With regards to Claim 171, Tillery discloses a spring biased conductor [Figures 1-6: (60)] operably connected to the switch on one end and coupled to the center electrode of the battery for protecting the battery from damage.

84. With regards to Claim 174, Tillery discloses a spring conductor means [Figures 1-6: (28)] operably coupled to a center electrode of the battery for protecting the battery from damage.

85. Claim 159 is rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

Tillery discloses a flashlight including:

- A housing [Figures 1-6: (2)] for receiving and storing at least one dry cell battery [Figures 1-6: (24)];
- A lamp bulb [Figures 1-6 (12, 14)] including electrodes operably connected to the battery through an electrical circuit and a filament extending between the electrodes for generating light, whereby a substantial point source of light is on the filament;
- A switch [Figures 1-6: (40)] interposed in the electrical circuit adapted to open the electrical circuit and to close the electrical circuit to cause the filament to generate light;
- A head assembly [Figures 1-6: (4)] including a lens [Figures 1-6: (10)];
- A substantially axisymmetrical reflector [Figures 1-6: (54)] for forming a beam of light generated by the filament, whereby the reflector has a first open end adapted to emit a light beam through the lens, a second end adapted to

receive the lamp bulb extending toward the first open end, an axis extending from the second end to the first open end, and a focal point located on the axis;

- An adjustable focusing means for varying the position of the substantial point source of light with respect to the focal point [Figure 1: (18)];
- A movable lamp bulb holder [Figures 1-6: (62, 74)] to hold the lamp bulb and maintain the operable connection with the battery; and
- An actuating member [Figures 1-6: (64-66)] operatively coupled to the movable lamp bulb holder for moving the lamp bulb filament to position the substantial point source of light coaxial with the reflector axis, wherein the actuating member is a cam [Figures 1-6: (64-66)].

86. Claim 196 is rejected under 35 U.S.C. 102(b) as being anticipated by Tillery (U.S. Patent 5,461,552).

Tillery discloses a flashlight including:

- Means for housing [Figures 1-6: (2)] a portable source of electrical energy [Figures 1-6: (24)];
- A bulb means [Figures 1-6: (12, 14)] including electrodes operably connected to the portable source of electrical energy through an electrical circuit and a filament extending between the electrodes for generating light;
- Means for translating [Column 3, Lines 13-17] a substantially axisymmetrical reflector [Figures 1-6: (54)] for forming a beam of light generated by the filament, whereby the reflector includes a first open end adapted to emit the

beam of light, a second end adapted to receive the lamp bulb extending toward the first open end, an axis extending from the second end to the first open end and a focal point located on the axis;

- A movable means [Figures 1-6: (62, 74)] for holding and moving the lamp bulb; and
- An actuating means [Figures 1-6: (18)] externally accessible by a user and operatively coupled to the movable means for moving the filament relative to the reflector axis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

87. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tillery (U.S. Patent 5,461,552) as applied to Claim 27 above, and further in view of Youngquist et al. (U.S. Patent 5,627,362).

Tillery discloses the claimed invention as cited above, but does not specifically teach the switch assembly including a microprocessor.

Youngquist teaches a switch assembly including a microprocessor [Figure 4: (60)], which generates outputs for actuating a lamp in response to various input signals.

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the flashlight of Tillery to incorporate the microprocessor of

Youngquist to provide control over the illumination intensity, as well as determine the voltage level of the power source [see Youngquist: Abstract; Column 2, Lines 51-54].

88. Claims 29 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillery (U.S. Patent 5,461,552) as applied to Claim 19 above, and further in view of Parker (U.S. Patent 6,179,438).

Tillery discloses the claimed invention as cited above, but does not specifically teach a conducting member, specifically a ring (re: Claim 33) interposed between the barrel and the head assembly (re: Claim 32), for recharging the one or more batteries without removing the one or more batteries from the barrel, wherein the conducting member is electrically coupled to the electrical circuit (re: Claim 31) and is externally accessible and electrically coupled to the electrical circuit (re: Claim 29).

Parker teaches a conducting member, specifically a ring [Figure 1A: (146)] interposed between a barrel [Figure 1B: (10)] and a head assembly [Figure 1B: (21)], for recharging one or more batteries [Figure 1A: (139)] without removing the one or more batteries from the barrel, wherein the conducting member is electrically coupled to an electrical circuit [Figure 1A] and is externally accessible and electrically coupled to the electrical circuit [Figure 1A].

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the flashlight of Tillery to incorporate the rechargeable ring and batteries of Parker in order to provide a simple and inexpensive means of using and powering said flashlight without the need to purchase more batteries.

89. Claims 66, 69-73 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tillery (U.S. Patent 5,461,552) as applied to Claims 65 and 67, respectively above, and further in view of Maglica (U.S. Patent 5,143,441).

90. With regards to Claim 66, Tillery discloses the claimed invention as cited above, but does not specifically teach the other end of the housing being adapted to be received by the head to support the housing in a substantially upright position when the head is removed from the one end of the housing.

Maglica teaches, "The head is not a part of the electrical circuit and its removal exposes the bulb for substantially spherical illumination. The head assembly is removable from the barrel for use as a base into which the tail cap and barrel is inserted to stand the miniature flashlight in its "on" condition, as a lamp" [Abstract].

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the lighting device of Tillery to incorporate the spherical and miniature table lamp feature of Maglica [see Maglica: Column 3, Line 3] in order to provide hands-free operation and a wider, more open illumination to a user.

91. With regard to Claims 69-73, Tillery discloses the claimed invention, but does not specifically teach the switch being capable of closing the electrical connection when the head is disconnected from the housing and the moveable bulb holder positioning the point source of light beyond the housing in providing a dispersion of substantially spherical illumination (re: Claim 69); the switch being activated by changing the position of the head relative to the housing (re: Claim 70); the switch being activated by rotating the head relative to the housing (re: Claim 71); wherein a head containing the reflector

is connected to the housing and the head is controllably translatable relative to the housing and movement thereof in one direction closes the electrical connection between the portable source of energy and the bulb (re: Claim 72); and wherein the one direction is away from the housing (re: Claim 73).

Maglica teaches, "A miniature flashlight comprising a barrel, tail cap, head, bulb holder, bulb and an electrical circuit. The bulb holder is positioned at one end of the barrel such that the bulb extends into the head. The head includes a parabolic reflector surrounding the bulb such that the rotation of the head relative to the barrel changes the focus of the flashlight beam. A rotary switch associates the bulb holder with the barrel to control opening and closing of the electrical circuit. The head is not a part of the electrical circuit and its removal exposes the bulb for substantially spherical illumination. The head assembly is removable from the barrel for use as a base into which the tail cap and barrel is inserted to stand the miniature flashlight in its "on" condition, as a lamp" [Abstract].

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the lighting device of Tillery to incorporate the spherical and miniature table lamp feature and rotary switch of Maglica [see Maglica: Column 3, Line 3] in order to provide hands-free operation and a wider, more open illumination to a user, as well as an additional means to turn on/off the device without the use of a push-button.

92. Claim 84 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tillery (U.S. Patent 5,461,552) as applied to Claim 60 above, and further in view of Parker (U.S. Patent 6,179,438).

Tillery discloses the claimed invention as cited above, but does not specifically teach a conducting member that is externally accessible and electrically coupled to the electrical circuit for recharging the portable source of energy.

Parker teaches a conducting member, specifically a ring [Figure 1A: (146)] interposed between a barrel [Figure 1B: (10)] and a head assembly [Figure 1B: (21)], for recharging one or more batteries [Figure 1A: (139)] without removing the one or more batteries from the barrel, wherein the conducting member is electrically coupled to an electrical circuit [Figure 1A] and is externally accessible and electrically coupled to the electrical circuit [Figure 1A].

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the flashlight of Tillery to incorporate the rechargeable ring and batteries of Parker in order to provide a simple and inexpensive means of using and powering said flashlight without the need to purchase more batteries.

93. Claim 161 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tillery (U.S. Patent 5,461,552) as applied to Claim 156 above, and further in view of McDermott (U.S. Patent 6,024,471).

Tillery discloses the claimed invention as cited above, but does not specifically teach the switch being a momentary switch.

McDermott teaches, "The power control means additionally permits the user to momentarily energize the lamp and for the lamp to extinguish upon release of the rotary switch by the user" [Abstract].

It would have been obvious to one ordinarily skilled in the art at the time the invention was made to modify the flashlight of Tillery to incorporate the momentary switch of McDermott to provide the user greater control of the illumination while ensuring that the power source is not accidentally drained when not in use.

Allowable Subject Matter

94. Claims 12-13, 15, 207, and 211 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regard to Dependent Claims 12-13, the Applicant has sufficiently claimed and defined a device for projecting a beam of light, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a holder for positioning a substantial point source of light within a reflector and where the holder is movable about more than one axis via being operably connected to an actuating member externally accessible to a user.

With regards to Dependent Claim 207, the Applicant has sufficiently claimed and defined a device for projecting a beam of light, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a holder

for positioning a substantial point source of light being a substantially spherical housing and wherein said spherical housing moves within a spherical envelope.

With regards to Dependent Claim 211, the Applicant has sufficiently claimed and defined a device for projecting a beam of light, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a first housing that maintains the batteries and a second housing that maintains the reflector, whereby the second housing includes a window such a user can access an actuating member that is operatively connected to a light source holder to move said holder and align the light source with an axis of a reflector.

95. Claims 22, 25-26, 28, and 216 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regards to Dependent Claim 22, the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a moveable holder for holding an illumination source and an actuation interface used to move said holder and illumination source relative to the reflector axis and not coincident thereto.

With regards to Dependent Claim 25, the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a sleeve that covers an actuation

interface used to move the movable holder when in a first position and which uncovers and facilitates access to the actuation interface when disposed at a second position.

With regards to Dependent Claim 216, the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a movable holder for positioning an illumination being a substantially spherical housing and wherein said spherical housing moves within a spherical envelope.

96. Claim 86 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a lamp bulb with an axis of a flashlight reflector via an actuation interface being a hexagonal socket. The prior art of record fails to teach or suggest the combination of structural elements, specifically the hexagonal socket, claimed therein.

97. Claims 91-105 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light with an axis of a reflector, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to an actuating member operatively coupled to a movable lamp holder for moving a filament of a lamp bulb in a direction substantially perpendicular relative to the axis of the reflector and wherein the actuating member is externally operable by a user.

98. Claim 106 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light with an axis of a reflector, and including a support housing for holding the reflector and having a window. The prior art or record fails to teach or suggest the combination of structural elements, specifically the actuating member extending through the window to couple to the movable lamp holder, claimed therein.

99. Claims 107-135 and 222-225 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a barrel, a head assembly, a lamp bulb, a movable lamp bulb holder, an actuating member, and an electrical circuit. The prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to the actuating member being operatively coupled to the movable lamp bulb holder for adjusting the position of a filament of the lamp bulb in a direction substantially perpendicular relative to the axis of the reflector.

100. Claims 147 and 151 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regards to Dependent Claim 147, the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a flashlight reflector, whereby the prior art fails to teach or

suggest the combination of structural elements claimed therein, specifically to the actuating member that is a lever removably coupled to the movable lamp bulb holder.

With regards to Dependent Claim 151, the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a flashlight reflector, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a lock mechanism releasably coupled to the actuating member to maintain the position of the substantial point source of light with the reflector axis after the filament has been moved relative to the reflector axis by restricting actuator member movement.

101. Claims 149-150 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: With regards to Dependent Claim 149, the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a reflector, and including a cam acting as an actuating member for adjusting the position of the lamp bulb filament. The prior art of record fails to teach or suggest the combination of structural elements, specifically actuating member being a barrel cam including a hollow cylinder having a profiled end surface that is mechanically coupled to the movable lamp holder.

102. Claim 152 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a reflector, and including a lock mechanism that has a movable rack and locking tab. The prior art of record fails to teach or suggest the combination of structural elements, specifically the rack being coupled to the actuating member and including ribs and slots interposed between the ribs such that the locking tab disposed in one of the slots and bearing against the rib restricts movement of the rack and actuating member, claimed therein.

103. Claims 153-154 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a reflector, and including an abutment of the reflector adjacent to the second end and substantially perpendicular to the reflector axis such that the reflector is controllably translatable in the direction along the axis to vary the relative axial position of the abutment with the lock mechanism. The prior art of record fails to teach or suggest the combination of structural elements, specifically the abutment in combination with the lock mechanism that is releasably coupled to the actuating member, claimed therein, and all subsequent dependent claims are allowed.

104. Claims 158 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to the actuating member being slidably coupled to the movable lamp bulb holder.

105. Claims 160 and 162, 164 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

With regards to Dependent Claim 160, the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a reflector, and including a cam acting as an actuating member for adjusting the position of the lamp bulb filament. The prior art of record fails to teach or suggest the combination of structural elements, specifically actuating member being a barrel cam including a hollow cylinder having a profiled end surface that is mechanically coupled to the movable lamp holder.

With regards to Dependent Claim 162, the Applicant has sufficiently claimed and defined a combination for use in aligning a substantial point source of light of a filament of a lamp bulb with an axis of a reflector, whereby the prior art of record fails to teach or suggest the combination of structural elements, specifically to a lock mechanism releasably coupled to the actuating member to maintain the position of the substantial

point source of light with the reflector axis after the filament has been moved relative to the reflector axis by restricting actuator member movement.

106. Claim 163 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a lock mechanism that has a movable rack and locking tab. The prior art of record fails to teach or suggest the combination of structural elements, specifically the rack being coupled to the actuating member and including ribs and slots interposed between the ribs such that the locking tab disposed in one of the slots and bearing against the rib restricts movement of the rack and actuating member, claimed therein.

107. Claim 165 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including an actuation interface being a hexagonal socket. The prior art of record fails to teach or suggest the combination of structural elements, specifically the hexagonal socket, claimed therein.

108. Claims 172-173 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a spring biased conductor that has a first conductor receptacle, a second conductor receptacle and a spring, wherein the first conductor receptacle is slidably disposed to the inner cavity of the second conductor receptacle with the spring compressed and contained therebetween, and whereby the spring urges one of the first conductor receptacle and the second

conductor receptacle towards the center electrode of the battery. The prior art of record fails to teach or suggest the combination of structural elements, specifically the spring biased conductor, claimed therein, and all subsequent dependent claims are allowed.

109. Claims 175, 178-180, and 184 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a housing, a lamp bulb, a head assembly, a movable lamp bulb holder, actuating means for moving the lamp bulb, a tail cap, an electrical circuit, and a switch. The prior art of record fails to teach or suggest the combination of structural elements claimed therein, specifically to the actuating means for moving the lamp bulb in a direction substantially perpendicular relative to the reflector axis while the lamp bulb is electrically connected to the at least one battery.

110. Claims 176-177 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a spring biased conductor that has a first conductor receptacle, a second conductor receptacle and a spring, wherein the first conductor receptacle is slidably disposed to the inner cavity of the second conductor receptacle with the spring compressed and contained therebetween, and whereby the spring urges one of the first conductor receptacle and the second conductor receptacle towards the center electrode of the battery. The prior art of record fails to teach or suggest the combination of structural elements, specifically the spring biased conductor, claimed therein, and all subsequent dependent claims are allowed.

111. Claim 181 is allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a lock mechanism that has a movable rack and locking tab. The prior art of record fails to teach or suggest the combination of structural elements, specifically the rack being coupled to the actuating means and including ribs and slots interposed between the ribs such that the locking tab disposed in one of the slots and bearing against the rib restricts movement of the rack and actuating means, claimed therein.

112. Claims 182-183 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including an abutment of the reflector adjacent to the second end and substantially perpendicular to the reflector axis such that the reflector is controllably translatable in the direction along the axis to vary the relative axial position of the abutment with the lock mechanism. The prior art of record fails to teach or suggest the combination of structural elements, specifically the abutment in combination with the lock mechanism that is releasably coupled to the actuating means, claimed therein, and all subsequent dependent claims are allowed.

113. Claims 185-188 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a barrel, a lamp bulb, a reflector, an electrical circuit, a movable means for holding and moving the lamp bulb, and an actuating means. The prior art fails to teach or suggest the combination of

structural limitations claimed therein, specifically to the actuating means being externally operable for actuation by a user and for moving the lamp bulb in a direction substantially perpendicular relative with the reflector axis while the lamp bulb is electrically connected to the battery.

114. Claims 189-195 are allowed.

The following is an examiner's statement of reasons for allowance: the Applicant has sufficiently claimed and defined a flashlight including a housing, a lamp bulb, a head assembly including a reflector, a movable lamp bulb holder, and an actuating means. The prior art fails to teach or suggest the combination of structural limitations claimed therein, specifically to the actuating means being externally accessible for actuation by a user and operatively coupled to the movable holder for moving the lamp bulb in a direction substantially perpendicular relative with the reflector axis while the lamp bulb is operably connected to the battery.

115. Claim 218 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a movable holder for positioning an illumination being a substantially spherical housing and wherein said spherical housing moves within a spherical envelope.

116. Claim 220 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: the Applicant has sufficiently claimed and defined a flashlight, whereby the prior art fails to teach or suggest the combination of structural elements claimed therein, specifically to a movable holder for positioning an illumination being a substantially spherical housing and wherein said spherical housing moves within a spherical envelope.

117. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following reference to Kobayashi et al. (U.S. Patent 5999749) is cited to further show the state of the art relevant to the current application, but is not considered exhaustive.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason M Han
Examiner
Art Unit 2875

JMH (10/30/2006)

Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800